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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,135	10/29/2001	John Joseph Mazzitelli	100110992-1	1932

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

SERRAO, RANODHI N

ART UNIT	PAPER NUMBER
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2141

MAIL DATE	DELIVERY MODE
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05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/057,135

Applicant(s)

MAZZITELLI, JOHN JOSEPH

Examiner

Ranodhi Serrao

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-16, 18-26, and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-16, 18-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see remarks, filed 29 January 2007, with respect to the rejection(s) of claim(s) 1-6, 8-16, 18-26, and 28-30 under 35 U.S.C. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of different interpretation of a previously applied reference and newly found prior art reference. See below rejections.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 2, and 4-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Guedalia et al. (2003/0088609).
4. As per claim 1, Guedalia et al. teaches a multi-threaded server accept method (¶ 107), comprising: creating a socket accept thread by a control thread of a server process (¶ 120); receiving a service request from a client by the socket accept thread (¶ 259); transferring the request to a data structure (¶ 263); and retrieving the request, by the control thread, from the data structure (¶ 265); and transferring the request to a client thread dynamically created by the control thread, to process request data associated with the request (¶ 108-112 and ¶ 245).

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5. As per claim 2, Guedalia et al. teaches the data structure comprises a queue (§ 109).
6. As per claim 4, Guedalia et al. teaches waiting for service requests by performing an accept () call (§ 257).
7. As per claim 5, Guedalia et al. teaches receiving the request comprises receiving a client socket object (§ 258).
8. As per claim 6, Guedalia et al. teaches waiting for the service request from the client by the socket accept thread (§ 256-258).
9. As per claim 8, Guedalia et al. teaches receiving a second request by the socket accept thread from the client; transferring the second request to the data structure; retrieving the second request by the control thread; transferring the second request to a second client thread to process second request data; and processing the second request data by the second client thread (§ 266-269).
10. As per claim 9, Guedalia et al. teaches creating the second client thread to process the second request data (§ 265).
11. As per claim 10, Guedalia et al. teach socket accept thread and the control thread are executed on a single processor (§ 185).
12. As per claim 11, Guedalia et al. teach the steps of transferring the request to the data structure and retrieving the request from the data structure are serially performed (§ 13).

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13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

14. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guedalia et al. as applied to claim 1 above, and further in view of Srikantan et al. (2001/0029548). Guedalia et al. teaches the mentioned limitations of claim 1 above but fails to teach a method, wherein the data structure comprises a FIFO queue. However, Srikantan et al. teaches a method, wherein the data structure comprises a FIFO queue (see Srikantan et al., ¶ 85). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Guedalia et al. to a method, wherein the data structure comprises a FIFO queue in order to keep a server processor from reaching an upper bound or limit on the number of sockets or clients that the server can service (see Srikantan et al., ¶ 4)

15. Claims 12-16, 18-26, and 28-30 have similar limitations as to claims 1-6 and 8-11 above; therefore, they are being rejected under the same rationale.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER